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To:

NAME:	FACSIMILE:	TELEPHONE:
U.S. Patent and Trademark Office	703/ 872-9306	

FROM: Michael R. Ward
Reg. No. 38,651

DATE: June 13, 2005

Number of pages with cover page:	6
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RE: U.S. Patent Application Serial No. 10/664,513
For: BIOCHEMICAL METHODS FOR MEASURING METABOLIC
FITNESS OF TISSUES OR WHOLE ORGANISMS
By: Marc K. HELLERSTEIN
Art Unit: 1651
Examiner: R.J. Gitomer
Our Reference: 416272003700

ATTACHED DOCUMENTS:

1. Transmittal (1 page)
2. Power of Attorney document (1 page) and
3. Statement Under 37 CFR 3.73(b) (1 page)
4. Copy of Assignment document (2 pages)

COMMENTS:

Please see attached documents. Thank you.

sf-1945002

PTO/SB/21 (08-03)

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TRANSMITTAL FORM

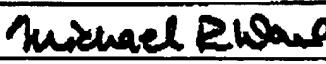
(to be used for all correspondence after initial filing)

		Application Number	10/664,513
		Filing Date	September 16, 2003
		First Named Inventor	Marc K. HELLERSTEIN
		Art Unit	1651
		Examiner Name	R. J. Gitomer
Total Number of Pages in This Submission	5	Attorney Docket Number	416272003700

ENCLOSURES (Check all that apply)

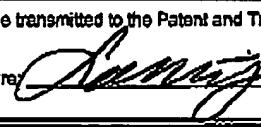
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 page)	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	1. Statement Under 37 C.F.R. § 3.73(b) (1 page)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s)	2. Copy of Assignment document (2 pages)
<input type="checkbox"/> Certified Copy of Priority Document(s)		3. Facsimile Cover Sheet, not included with page count
<input type="checkbox"/>		Remarks
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER, LLP (Customer No. 20872) Michael R. Ward - Reg. No. 38,651
Signature	
Date	June 10, 2005

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Dated: June 10, 2005

Signature:  (Leah Kjellen)

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PTO/SB/61 (11-04)

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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number	10/664,613
	Filing Date	September 16, 2003
	First Named Inventor	Mark K. HELLERSTEIN
	Type	BIOCHEMICAL METHODS FOR MEASURING METABOLIC FITNESS OF TISSUES OR WHOLE ORGANISMS
	Art Unit	1651
	Examiner Name	R. J. Glotmer
Attorney Docket No.	416272003700	

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

 Practitioners associated with the Customer Number:

OR

 Practitioner(s) named below:

Name	Registration Number	Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

Signature		Date	5/26/05
Name	Carol Mimura, Ph.D.	Telephone	(610) 643-7201
Title and Company	Director, Office of Technology Licensing, THE REGENTS OF THE UNIVERSITY OF CALIFORNIA		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

<input type="checkbox"/> Total of <u>1</u> forms are submitted.

SF-1924928

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PTO/SB/86 (09-04)

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Marc K. HELLERSTEINApplication No./Patent No.: 10/684,513 Filed/Issue Date: September 16, 2003Entitled: BIOCHEMICAL METHODS FOR MEASURING METABOLIC FITNESS OF TISSUES OR WHOLE ORGANISMSThe Regents of the University of California, a corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. the assignee of the entire right, title, and interest; or
2. an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

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Reel _____, Frame _____, or for which a copy thereof is attached.

 Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Michael R. Ward6/10/05

Signature

Date

Michael R. Ward - Reg. No. 38,651

(415) 268-6237

Printed or Typed Name

Telephone Number

Attorney

Title

I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office, facsimile no. (703) 672-9306, on the date shown below.

Dated: June 13, 2005Signature: Leah Kjellen

(Leah Kjellen)

SF-1945004

ASSIGNMENT**U.C. Case No. B01-074**

For good and valuable consideration, including royalties as stated in the UC Policy effective October 1, 1997, the receipt of which is hereby acknowledged, ASSIGNOR(S),

1. Marc K. HELLERSTEIN

hereby sells, assigns and transfers to ASSIGNEE, The Regents of the University of California, a California Corporation, having its statewide administrative offices located at 1111 Franklin Street, 12th Floor, Oakland, CA 94607-5200, and the successors, assigns and legal representatives of the ASSIGNEE all of its right, title and interest for the United States and its territorial possessions and in all foreign countries in and to, any and all improvements which are disclosed in UCB Case No. B01-074.

or which is found in

- (a) U.S. provisional application filed herewith and listing the above named persons as inventors entitled
- (b) U.S. provisional patent application filed on, and listing the above named persons as inventors entitled
- (c) U.S. patent application serial no. 10/664,513 filed on September 16, 2003 entitled
BIOCHEMICAL METHODS FOR MEASURING METABOLIC FITNESS OF TISSUES OR WHOLE ORGANISMS
- (d) U.S. Patent No.: _____, issued on _____

and any legal equivalent thereof in a foreign country, including the right to claim priority and, in and to, all Letters Patent to be obtained for said invention by the above application or any continuation, divisional, continuation-in-part, extension, conversion to 35 USC 111 (a) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent and all rights under all International Conventions for the Protection of Industrial Property;

ASSIGNOR(S) hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;

ASSIGNOR(S) further covenants that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation, or proceeding relating thereto and will promptly execute and deliver to ASSIGNEE or its legal representative any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. An attorney of record is authorized and requested by the execution of this assignment to insert into this assignment the filing date and serial number of said application when officially known.

AND the ASSIGNOR(S) requests the Commissioner of Patents and Trademarks to issue said Letters Patent of the United States and any reissue or extension thereof to the ASSIGNEE, The Regents of the University of California.

sf-1924955

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NO. 350 P. 6

Docket No.: 416272003700

I/We hereby authorize and request the assignee's attorneys, Morrison & Foerster LLP, to insert where designated above the application number and filing date of said application when known.

executed this

5/5/05

Date:

Signature of Inventor(s)

M. Hellerstein

Marc K. HELLERSTEIN